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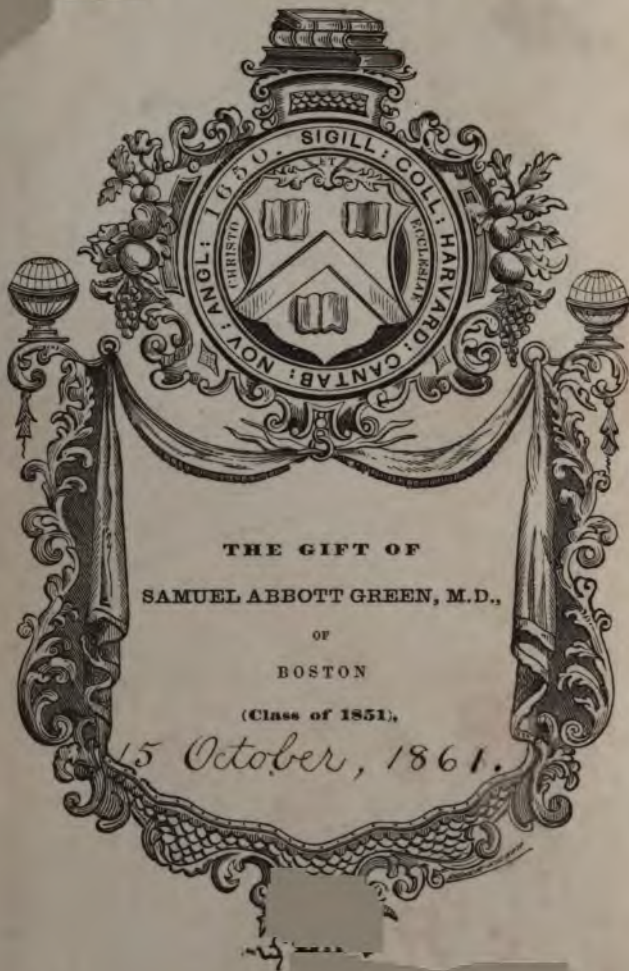
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M. Harvey Law
INNOCENT PERSONS

EXECUTED

markable ^{on}
CIRCUMSTANTIAL EVIDENCE.



**THE FOLLOWING ARE
AUTHENTIC REPORTS,**

*Wholly divested of Fiction, and presenting unvarnished Tales
of Truth.*

MANY OF THEM MAY BE FOUND APPENDED TO

PHILIPS' LAW REPORTS

With these facts before him, it is easy for the reader to
conceive how far designing men may carry their
plans to revert that judgment due only
to themselves, upon the innoc
cent and unoffending.

THE FOLLOWING PLATE

*Exhibits a case, which though not genuine, might possibly occur,
where circumstances seem to portray the greatest
guilt against the innocent, whilst the
perpetrator escapes.*



A neighbor, as is customary, makes an evening call on his friend. The wife, being rather late, has been dosing, her elbow resting on the table, her head upon her hand. She is aroused suddenly, sees her husband bleeding, the knife pointed toward his breast, in the neighbor's hand, and her son is heard to accuse him of the murder to avoid refunding a sum of borrowed money. The neighbor, pale with fright at the sight, but more so at the charge, says not a word, till he finds himself surrounded, and about to be taken into custody. All well known the first act of a humane person would be, in discovering a murdered person, with the stomach remaining in the body to withdraw it, and at such a time, how easy the real perpetrator might fix guilt apparently upon him. Such we suppose to have been the son's object in stabbing his father, and leaving the knife within his breast. The borrowed money, unreturned, the testimony of the wife, and the son by perjury, would seal with the murderer's doom, and cost the fairest reputation.

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REMARKABLE INSTANCES
OF
CIRCUMSTANTIAL EVIDENCE,
GIVEN ON
TRIALS FOR CRIMINAL ACTS,
WHICH HAS RESULTED IN THE
CONVICTION AND EXECUTION
OF
INNOCENT PERSONS,
TOGETHER
WITH AFTER DISCLOSURES.

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THOMAS HARRIS,
FOR THE
MURDER OF JAMES GRAY.

In the year 1642, James Gray, a blacksmith, travelling on foot to Edinburgh, put up at the **Rising Sun**, a public house about eighteen miles from York, on the road to Newcastle, kept by **Thomas Harris**. Harris had a man and maid servant: the man, whose name was **Morgan**, he kept in the three-fold capacity of waiter, hostler, and gardener. Early the next morning, **Morgan** went secretly to a neighboring magistrate, and gave information, that his master, **Harris**, had just then murdered the traveller, **James Gray** in his bed. A warrant was issued, and **Harris** was apprehended. **Harris** positively denied the charge, and **Morgan** as positively affirmed it; deposing that he saw **Harris**, on the stranger's bed, strangling him, but that he came too late to save him; and that **Harris's** plea was, the deceased was in a fit and he was

only assisting him. Morgan further deposed, that he instantly retired, and made a feint as if going down stairs, but creeping up very softly to an adjoining room, he there, through a key-hole, saw his master rifling the pockets of the deceased.

Harris peremptorily denied every part of this story; and the body having, by order of the magistrate, been inspected, and no mark of violence appearing thereon, Harris was on the point of being discharged, when the maid-servant desired also to be sworn. She deposed, that almost directly after her master came down, in the morning, as she must conceive from the traveller's room, she saw him go into the garden, (being unknown to her master, in a back wash-house which overlooked it,) saw him take some gold out of his pocket, wrap it up in something, and bury it at the foot of a tree, in a private corner of the place.

Harris, at this information turned pale! He would give no direct answer as to the circumstance of the money! A constable was despatched with the girl, and the cash, to the amount of upwards of thirty pounds, was found.

The accused acknowledged the hiding of that money, but he acknowledged it with so much hesitation, and answered every question with such unwillingness, and apparent unopenness, that all doubts of his guilt were removed, and he was committed for trial.

About a week after his commitment, Harris was brought to the bar, at the York assizes. Morgan deposed the same as when before the justice. The maid-servant and constable deposed as to the circumstance of the money ; the first as to the prisoner's hiding, and both as to finding it. And the magistrate gave testimony of the confusion and hesitation of Harris on the discovery of, and being questioned about his hiding the money.

On his defence Harris endeavored to invalidate the charge, by assertions, that the whole of Morgan's evidence was false ; that the money which he buried was his own, honestly obtained, which he had buried for better security, and that his behaviour before the magistrate, in this particular, arose from the shame of acknowledging his natural covetousness—not from any consciousness of guilt. In summing up, the

Judge remarked strongly on the circumstance of hiding the money, and the weakness of the prisoner's reasons ; and the jury, after consulting together but two minutes, brought in the verdict of—guilty.

Pursuant to his sentence, he was executed, persevering in his declaration of innocence, but advising all persons to guard against the effects of an avaricious disposition ; for it was that sordidness of temper which had led him, he said, into general distrustfulness, and that into the expedient of hiding his money ; which circumstance had alone furnished the means to his enemies (for what reason they were so he said he knew not, but whom he forgave,) for bringing him to an ignominious death.

The truth of the matter finally came out : Harris was entirely innocent.

Morgan and the maid were not only fellow-servants but sweet-hearts. Harris's suspecting covetous temper was well known to both, and the girl once, by accident, perceiving her master burying something, related the circumstance to Morgan ; he, acting as gardener, when at work, took an opportunity to dig for it ; it proved to

be five guineas ; he left it and informed the girl. They agreed not to touch the money, but to watch their master, as they had no doubt but he would add to it, and when it arose to a good sum, they would plunder the hiding place together, marry, and with the spoil set up in some kind of business. It happened as they imagined ; they had several occasions to see the stock increasing, but (equally covetous with their master,) the golden harvest was considered yet unripe.

One day, in a quarrel, Harris struck Morgan several times. Morgan determined on revenge. At this fatal period arrived James Gray, whom Morgan the next morning found dead in his bed. The diabolical thought struck Morgan of charging Harris with murdering and robbing Gray, and then plundering his master's hiding place, while he (the master) was in prison. Morgan informed the maid of his intention, which she approved ; they consulted and fixed upon the plan, and Morgan gave the information to the magistrate as before related. The girl unexpectedly found the accusation not sufficiently supported, and feared that her sweet-

heart, of whom she was fond, would be punished for perjury if her master was released ; who had unfortunately hinted as much before the justice. The expedient struck her, to sacrifice the hidden money, and with it her master, to the safety of her paramour ; and the idea, as the reader already knows, succeeds fatally.

The whole of this stupendous piece of wickedness came to light in the beginning of the year 1643, on a quarrel between Morgan and the girl, who, after the death of Harris had lived together as man and wife.

They were taken up in consequence and committed to prison, but escaped the public punishment due to their crime, by both dying of a jail disease.

Harris's innocence became afterwards further illustrated by its being found out that James Gray, the supposed murdered person, had had two attacks of an apoplexy some months previous to his death, and that he was never master of five pounds at one time in his life.

WILLIAM SHAW,
FOR THE
MURDER OF HIS DAUGHTER.

IN the year 1721, William Shaw, an upholsterer, of Edinburgh, was executed for the murder of his daughter.

Catharine Shaw, his daughter, who lived with him, encouraged the addresses of John Lawson, a jeweller, to whose attention William Shaw declared there were insuperable objections, alleging him to be a profligate young man, addicted to every kind of dissipation. He was forbidden the house ; but the daughter continuing to see him clandestinely, the father, on the discovery, kept her strictly confined.

William Shaw had, for some time, pressed his daughter to receive the attention of a daughter of Alexander Robertson, a friend and neighbor ; and one evening, being very urgent with her thereon, she peremptorily refused, declaring she preferred death to being young Robertson's wife.

The father becoming enraged, and the daughter more positive, the most passionate expressions ensued, and the words "barbarity, cruelty and death," were pronounced by the daughter. At length he left her, locking the door after him.

The greatest part of the buildings at Edinburgh are formed on the plan of the chambers in our inns of court, so that many families inhabit rooms on the same floor, having all one common staircase. In one of these dwelt William Shaw, only a single partition dividing his apartment from that of James Morrison, a watch-case maker. This man had indistinctly overheard the conversation and quarrel, between Catharine Shaw and her father, but was particularly struck with the repetition of the above words, she having pronounced them loudly and emphatically! For some little time after the father was gone out, all was silence, but presently Morrison heard several groans from the daughter. Alarmed, he ran to some of his neighbors under the same roof; and entering Morrison's room together, and listening attentively, not only heard the groans, but distinctly

heard Catharine Shaw, two or three times, faintly exclaim—"Cruel father, thou art the cause of my death!" Struck with this, they flew to the door of William Shaw's apartment; they knocked, but no answer was given. The knocking was repeated; still there was no answer. Suspicion, which had before arisen, was now confirmed, against the father; a constable procured, and the entrance forced. Catharine was found weltering in her blood; the fatal knife by her side. She was alive, but speechless. Being interrogated whether her father was the cause of her death, just able to make a motion with her head, she seemed to reply in the affirmative, and then expired.

At this critical moment William Shaw returns and enters the room. All eyes are on him. He sees his neighbors and a constable in his apartment, and seems much confused; but at the sight of his daughter turns pale, and trembling is ready to sink. The first surprise, and succeeding horror, leave little doubt of his guilt to those present; nor even that little ~~on~~ observing that the shirt of William Shaw is bloody.

He was instantly hurried before a magistrate, and upon the depositions of all the parties, committed to prison. He was shortly after brought to trial, when, in his defence, he acknowledged having confined his daughter to prevent her intercourse with Lawson ; that he had frequently insisted on her marrying Robertson ; and that their feelings had been excited on the evening she was found murdered, as the witness, Morrison, had deposed : but averred that he left his daughter unarmed and untouched ; and that the blood found upon his shirt was there in consequence of his having bled himself some days before, and the bandage becoming loose. These assertions had little or no effect with the jury, when opposed to the strong circumstantial evidence of the daughter's expressions, of " barbarity, cruelty, death," and of " cruel father, thou art the cause of my death ;" together with the apparently affirmative motion with her head, and the blood so seemingly providentially discovered on the father's shirt. On these several concurring circumstances was William Shaw found guilty, and hung in chains at Leith Walk, in November, 1721.

Was there a person in Edinburgh who believed the father guiltless? No, not one! notwithstanding his latest words at the gallows were—"I am innocent of my daughter's murder."

In August, 1722, however, as a man, who had become the possessor of the late William Shaw's apartments, was rumaging, in the chamber where Catharine Shaw died, he accidentally perceived a paper, which had fallen into a cavity on one side of the chimney: It was folded as a letter, and, when opened, was found to contain the following:

"*Barbarous Father,*

"Your cruelty, in having putting it out of my power, ever to join my fate to that of the only man I could love, and tyrannically insisting upon my marrying one I always hated, has made me form a resolution to put an end to an existence which is become a burden to me. I doubt not I shall find mercy in another world; for sure no benevolent being can require that I should any longer live in torment to myself in this! My death I lay to your charge; when you read this, consider yourself the inhuman wretch that plunged the murderous knife in the bosom of the unhappy

Catharine Shaw."

This letter being shown, the hand-writing was recognised and avowed to be Catharine Shaw's, by many of her relations and friends. It became the public talk, and the magistracy of Edinburgh, on a scrutiny, being convince of its authenticity, ordered the body of her father to be taken from the gibbet, and given to his family for interment ; and, as the only reparation to his memory, and the honor of his surviving relations, they caused a pair of colors to be waved over his grave, in token of his innocence.

JONATHAN BRADFORD,
FOR THE
MURDER OF CHRISTOPHER HAYES, ESQ.

IN the year 1736, Jonathan Bradford was executed for the murder of Christopher Hayes, Esq. Bradford was the keeper of an inn in Oxford, and bore a very unexceptionable character. Hr. Hayes was a gentleman of fortune, on his way to Oxford to visit a relative. He put up at Bradford's, where he joined with two other gentlemen, with whom he supped, and in conversation, unguardedly mentioned that he had then about him a sum of money. In due time they retired to their respective chambers; the two gentlemen whom Mr. Hayes joined, to one room, leaving, as is customary with many, a candle burning in the fire-place, and Mr. Hayes to an adjoining chamber. Some hours after they were in bed, one of the two gentlemen being awake, thought he heard a deep groan; and this being repeated, he softly

awaked his friend. They listened together, and the groans increasing, as of one dying, they both instantly arose, and proceeded silently to the next chamber, and the door being a-jar, saw a light in the room. They entered, and perceived in the bed a person weltering in his blood, and by him a man standing with a knife in one hand and a dark lantern in the other!

The man seemed as petrified as themselves, but his terror carried with it all the terror of guilt. The gentlemen soon discovered that the murdered person was the stranger with whom they had that night supped, and that the man who was standing over him was their host. Bradford was directly seized by them, disarmed, and charged with the murder. He assumed by this time the air of innocence, positively denied the crime, and asserted that he came there with the same humane intention as themselves; for that, hearing a noise, succeeded by groans, he got out of bed, struck a light, and armed himself with a knife for his defence, and had entered the room but the minute before them. These assertions were of little avail; he was kept in close custody till the morning,

and then taken before a neighboring justice of the peace. Bradford continued to deny the murder, but with such apparent indications of guilt, that the justice made use of this most extraordinary expression in writing out his mittimus—"Mr. Bradford either you or myself committed this murder."

In public conversation, for the whole country abounded with it, Mr. Bradford was constantly undergoing examination, and as regularly was he condemned. In the midst of this predetermination, came on the assizes at Oxford. Bradford was brought to trial; he pleaded—not guilty. Nothing could be stronger than the evidence of the two gentlemen. They testified to the finding of Mr. Hayes murdered in his bed; Bradford at the side of the body with a light and a knife; that knife, and the hand which held it bloody; that, on entering the room, he betrayed all the signs of a guilty man; and that, but a few moments previous they heard the groans of the deceased.

Bradford's defence on his trial was the same as before the gentlemen: he had heard a noise, and suspected villainy was transacting; he

struck a light, and snatched the knife, the only weapon near him, to defend himself; the terrors he discovered were merely the terrors of humanity, the like effect of innocence and guilt, on beholding such a horrid scene.

This defence, however, could be considered but as weak, contrasted with the several powerful circumstances against him. Never was circumstantial evidence more strong. There was little need of the prejudice of the country against the murderer to strengthen it; there was little need left of comment from the judge, in summing up the evidence; no room appeared for extenuation; and the jury brought in the prisoner guilty, even without going out of their box.

Bradford was executed shortly after, still declaring that he was not the murderer, nor privy to the murder of Mr. Hayes; but he died disbelieved by all.

Yet were these assertions not untrue; the murder was actually committed by Mr. Hayes' footman; who, immediately, on stabbing his master, rifled his breeches of his money, gold watch, and snuff-box, and escaped back to his

own room ; which could have been, from the
after circumstances, scarcely two seconds be-
fore Bradford entered the unfortunate gentle-
man's chamber. The world owes this know-
ledge to a remorse of conscience in the foot-
man, (eighteen months after the execution of
Bradford,) on a bed of sickness. It was a
death-bed repentance, and by that death the
law lost its victim.

JOHN JENNINGS,
FOR
HIGHWAY ROBBERY.

IN the year 1742, about seven miles from Hull, in England, a gentleman, who was travelling thither, was stopped, late in the evening, by a single highwayman, with a mask on, who robbed him of a purse containing twenty guineas. The highwayman rode off a different road, full speed, and the gentleman pursued his journey. It, however, growing late, and he being already much affrighted and agitated at what had passed, rode only two miles further, and stopped at the Bell Inn, kept by Mr. James Brunell. He went into the kitchen to give directions for his supper, where he related to several persons present, his having been robbed ; to which he added the peculiar circumstance, that when he travelled, he always gave his gold a particular mark ; that every guinea in the purse he was robbed of, was so particu-

larly marked, and that, most probably, the robber by that means would be detected. Supper being ready he retired. He had not long finished his supper, before Mr. Brunell came into the parlour. After the usual inquiries of landlords, of hoping the supper and every thing was to his liking, &c. &c. "Sir," says he, "I understand that you have been robbed, not far from hence, this evening." "I have, Sir." "And that your money was all marked?" "It was." "A circumstance has arisen, which leads me to think that I can point out the robber." "Indeed!" "Pray, Sir, what time in the evening was it?" "It was just setting in to be dark." "The time confirms my suspicions!" Mr. Brunell then informed the gentleman that he had a waiter, one John Jennings, who had, of late, been so very full of money, at times, and so very extravagant, that he had had many words with him about it, and had determined to part with him on account of his conduct being so very suspicious; that, long before dark, that day, he had sent him out to change a guinea for him, and that he had only come back since he (the gentleman) was in the

house, saying, he could not get change ; and that Jennings, being in liquor, he had sent him to bed, resolving to discharge him in the morning. That at the time he returned him the guinea, he (Mr. Brunell) did not think it was the same which he had given him to get silver for, having perceived a mark upon it, which he felt confident was not upon the other ; but that, nevertheless, he should have thought no more of the matter, as Jennings had so frequently gold of his own in his pocket, had he not afterwards heard, (for he was not present when the gentleman was in the kitchen relating it,) the particulars of the robbery, and that the guineas which the highwayman had taken, were all marked ; that, however, a few minutes previously to his having heard this, he had unluckily paid away the guinea which Jennings returned him, to a man who lived some distance off, and was gone ; but the circumstance of it struck him so very strongly, that he could not, as an honest man, refrain from giving this information.

Brunell was thanked for his attention and public spirit. There was the strongest reason

for suspecting Jennings ; and if, on searching him, any of the marked guineas should be found, as the gentleman could swear to them, there would then remain no doubt. It was now agreed to go softly up to his room : Jennings was fast asleep ; his pockets were searched, and from one of them was drawn forth a purse containing exactly nineteen guineas. Suspicion now became demonstration, for the gentleman declared them to be identically those which he had been robbed of. Assistance was called, Jennings dragged out of bed, and charged with the robbery. He denied it firmly, but circumstances were too strong to gain him belief. He was secured that night, and the next day carried before a neighboring justice of the peace. The gentleman and Mr. Brunell deposed the facts on oath ; and Jennings having no proofs, nothing but mere assertions of innocence to oppose them, which could not be credited, he was committed to take his trial at the next assizes.

So strong were these circumstances known to be against him, that several of his friends advised him to plead guilty on his trial, and to

throw himself on the mercy of the court. This advice he rejected, and when arraigned, pleaded not guilty. The prosecutor swore to the being robbed ; but that, it being nearly dark, the highwayman in a mask, and himself greatly terrified, he could not swear to the prisoner's person, though he thought him much of the same stature as the man who robbed him. To the purse and guineas, which were produced in court, he swore—as to the purse positively—and as to the marked guineas, to the best of his belief, and that they were found in the prisoner's pocket.

The prisoner's master, Mr. Brunell, deposed to the fact, as to the sending of the prisoner to change a guinea, and of his having brought him back a marked one, in the room of the one he gave him unmarked. He also gave evidence as to the finding of the purse, and the nineteen marked guineas, in the prisoner's pocket. And, what consummated the proof, the man to whom Mr. Brunell paid the guinea, produced the same, and gave testimony to the having taken it, that night, in payment, of the prisoner's master. Mr. Brunell gave evidence of his having

received that guinea, which he afterward paid to this last witness. And the prosecutor, comparing it with the other nineteen, found in the pocket of the prisoner, swore to its being, to the best of his belief, one of the twenty guineas of which he was robbed by the highwayman.

The judge, on summing up the evidence, remarked to the jury, on all the concurring circumstances against the prisoner : and the jury, on this strong circumstantial evidence, without going out of court, brought in the prisoner guilty.

Jennings was executed, some little time after, at Hull, repeatedly declaring his innocence, to the very moment he was turned off.

Within twelve months after, Brunell, Jennings's master, was himself taken up for a robbery, committed on a guest in his own house ; and the fact being proved on his trial, he was convicted, and ordered for execution. The approach of death brought on repentance, and repentance confession. Brunell not only acknowledged the committing of many highway robberies, for some years past, but the very one for which poor Jennings suffered.

The account he gave was, that he arrived at home by a nearer way and swifter riding, some time before the gentleman got in who had been robbed. That he found a man at home waiting, to whom he owed a little bill, and that, not having quite enough loose money in his pocket, he took out of the purse one guinea, from the twenty he had just got possession of, to make up the sum; which he paid and the man went his way. Presently came in the robbed gentleman, who, whilst Brunell was gone into the stables, and not knowing of his arrival, told his tale, as before related, in the kitchen. The gentleman had scarcely left the kitchen before Brunell entered it; and being there informed, among other circumstances, of the marked guineas, he was thunderstruck. Having paid one of them away, and not daring to apply for it again, as the affair of the robbery and marked guineas would soon become publicly known—detection, disgrace, and ruin, appeared inevitable. Turning in his mind every way to escape, the thought of accusing and sacrificing poor Jennings struck him.

JAMES CROW,
ALIAS
THOMAS GEDDELY.
FOR
BURGLARY.

MRS. HANNAH WILLIAMS, who kept a public house at York, had a waiter living with her by the name of **Thomas Geddely**. The house being one of much business, and the mistress very assiduous therein, was deemed wealthy. One morning her scrutoire was found broken open and robbed; **Thomas Geddely** disappearing at the same time, little doubt was left as to the robber. About twelve months after, a person by the name of **James Crow** arrived at York, and worked a few days in carrying goods as a porter. The many by whom he had been seen during this time, who had known **Thomas Geddely** accosted him as such. He declared he did not know them, that he had never been

at York before, and that his name was James Crow. This however, was merely considered a trick, to save himself from the consequences of the robbery committed in the house where he had before lived as a waiter.

Mrs. Williams was sent for, and in the midst of many people, singled him out, and charged him with unfaithfulness and ingratitude in robbing her.

He was directly hurried before a justice of the peace, but on his examination, absolutely affirmed that he was not Thomas Geddely, that he knew no such person, that he was never at York before, and that his name was James Crow. Not, however, giving a good account of himself, but rather admitting himself to be a vagabond and petty rogue, and Mrs. Williams and another swearing positively to his person, he was committed to York Castle to be tried at the next assizes.

When arraigned, he pleaded not guilty, and continued to deny that he was the person taken for. Some others, however, beside Mrs. Williams, swearing that he was the identical Thomas Geddeley, who lived with her when she

was robbed, and absconded on committing the robbery, and a servant girl deposing she saw him that very morning, in the room where the scrutoire was broken open, with a poker in his hand, and the prisoner being unable to prove himself elsewhere at that time, he was found guilty of the robbery. He was soon after executed, but to the latest breath persisted that his name was James Crow, and not Thomas Geddely.

The future proved his declaration! for the true Thomas Geddeley, who had robbed his mistress, had fled from York to Ireland, and was some time after taken up in Dublin for a similar act, and there condemned and executed. Between his conviction and execution, and again at the fatal tree, he confessed himself the very Thomas Geddely who had committed the robbery at York, for which the unfortunate James Crow had been executed.

We must add, that a gentleman, an inhabitant of York, happening to be in Dublin at the time of Geddely's trial and execution, and who knew him when he lived with Mrs. Williams, declared that the resemblance between the two

men was so exceedingly great, that it was next to impossible for the nicest eye to have distinguished their persons asunder. James Crow was executed in the year 1727.

JOHN MILES,
FOR THE
MURDER OF WILLIAM RIDLEY.

A public house at Exeter, called the Red Cow, was kept by William Ridley. An old acquaintance of Ridley's, John Miles, who lived some distance off, met him one morning as the former was going a short way to receive some money. They went to the next public house, and after drinking freely, Ridley told Miles he must go about the business which took him from home, which was to receive a sum of money, but made him promise to wait till he returned. Ridley then insisted on Miles accompanying him home to dinner, where they drank, shook hands, repeated old stories, drank and shook hands again and again, as old acquaintances in the lower class, after long absences, usually do : in fine, they both got at last, pretty much in liquor.

The room they sat in was backwards, detach-

ed as it were from the house, with a door that went immediately into a yard, and had communication with the street without passing through the house.

As it grew late, Mrs. Ridley at length came into the room, and not seeing her husband there, made inquiry after him of Miles. Miles being much intoxicated, all that could be got out of him was, that Ridley went out into the yard some time before. Ridley was called and searched for by all the family ; but neither answering nor being found, Miles, as well as he was able for intoxication, went his way.

Ridley not returning that night, and some days passing without being heard of, suspicion began to arise in the mind of Mrs. Ridley, of some foul play against her husband, on the part of Miles ; and these were not a little increased on the recollection that her husband had received a sum of money that day, and that Miles had replied to her inquiries after him, in a very incoherent, unintelligible, broken manner ; which, at the time, she attributed to his being in liquor.

These suspicions went abroad, and at length a full belief took place in many, that Miles was

actually the murderer of Ridley ; had gone out with him, robbed and murdered him, disposed of the body, and slid back again to the room where they were drinking, unseen by any one.

The officers of justice were sent to take up Miles, and he giving a very unsatisfactory relation of his parting with Ridley, which he affirmed was owing to his having been intoxicated when Ridley went out of the room from him, but which the magistrate ascribed to guiltiness ; he was committed to Exeter jail for trial.

While Miles was in confinement, a thousand reports were spread, tending to incline the minds of the people against him. Supernatural as well as natural reasons were alleged in proof of his guilt. Ridley's house was declared to be haunted ! Frequent knockings were heard in the dead of the night ; two of the lodgers avowed they had seen the ghost ! And to crown the whole, an old man, another lodger, positively affirmed, that once, at midnight, his curtains flew open, the ghost of Ridley appeared all bloody, and, with a piteous look and hollow voice, declared he had been murdered, and that Miles was the murderer.

Under these prepossessions among the weak and superstitious, and a general prejudice even in the stronger minds, was John Miles brought to trial for the wilful murder of William Ridley. Circumstances upon circumstances were deposed against him; and as it appeared, that Miles was with Ridley the whole day, both before and after his receiving the money, and that they spent the afternoon and evening together alone, the jury, who were neighbors of Ridley, found Miles guilty, notwithstanding his protestations, on his defence, of innocence; and he was shortly after executed at Exeter.

It happened that, some time after, Mrs. Ridley left the Red Cow, and the person who succeeded her, making several repairs in and about the house, in emptying the privy, which was at the end of a long dark passage, the body of William Ridley was discovered. In his pockets were found twenty guineas, from whence it was evident he had not been murdered, as the robbing him was the sole circumstance that could be alleged for the commission of the act. The truth, of Miles' innocence became evident; for it was recollected that the floor of the place

where Ridley was found, had been taken up the morning before his death, and that, on one side of the seat, a couple of boards had been left up ; so that, being much in liquor, he must have fallen into the vault, which was uncommonly deep ; but which, unhappily, was not adverted to at the time of his disappearance !

A TRAVELLER,

FOR THE

MURDER OF HIS BED-FELLOW.

A TRAVELLER, stopped at a public house and requested lodging for the night. The land-lady replied that every bed in her house was engaged, but if he would consent to sleep with her nephew she would accommodate him. The traveller consented to remain with her, and in due time he and the nephew retired. The stranger was to leave early the following morning, and accordingly when the family arose he was gone : the nephew was not to be found. Upon examining the bed in which they slept,

blood was seen upon the sheet ; suspicion began to arise. The stranger was pursued and brought back, but could give no account of the nephew : He said he had found it necessary to go out in the night himself, and that when he returned, though he left him there, the nephew was not in the bed, nor did he see him again previous to his leaving in the morning. This report not being satisfactory he was searched ; when a knife, known to belong to the nephew, and a piece of money which the aunt had seen the day previous in his possession was taken from the stranger's pocket. The nephew had been murdered beyond doubt, was the opinion of all, and the stranger was taken into custody. The trial came on, and witnesses were not wanting to condemn him. The sheet, besmeared with blood was produced : the knife—the piece of money—and his early departure the following manner, were considered as circumstances, not leaving a shade of doubt as to his guilt. The verdict was given accordingly, and the prisoner executed.

But time revealed the secret of the matter : the supposed murdered nephew was living !
The convict died innocent !

The stranger, as he stated, had gone out in the night, and left behind him his bed-fellow, of whom he previously inquired the way out ; he was directed, and informed the latch of the back door was broken, but that by taking a knife from his (the nephew's) pocket, he might force it. This he done ; the piece of money probably adhering to the knife, between the blade and the handle. When the stranger had gone, the nephew found, having been bled in the day, that his bandage had got loose, and the blood was again oozing from the vain ; he arose, dressed himself quickly, and went to the surgeon ; as he was returning, he was pressed for service, in the English war ; and could obtain no opportunity to reveal the matter, not knowing the misfortune of his bed-fellow, until it was too late.

JOHN STRINGER,
FOR
THE MURDER OF HIS WIFE.

In the year 1765, at the Lent assizes, John Stringer was found guilty of the murder of his wife. He was tried before the late Lord Chief Baron Smythe, at Kingston, in the county of Surry, only the Saturday previous to the time appointed for his execution, which was to be Monday. Stringer, was a man in low circumstances, and his wife having long been in ill-health, he brought her from London to Lambeth for the benefit of the air; here they lived for some time, generally in harmony, but with those little quarrels and scuffles, so common with persons in their rank of life. Upon the woman's death, some of the neighboring women, who had been occasionally witnesses to these little accidental bickerings between the husband and wife, took it into their heads that he had murdered her, notwithstanding she had never been heard to

make the least complaint of her husband during the course of her illness; and he was brought to trial in consequence.

Some trifling evidence being given of the little differences that had arisen between them; and the opinion of a young surgeon, that some appearances on the corpse were somewhat the appearances of mortification, occasioned by bruises, Stringer, on these slight circumstances, was convicted, and left for execution.

Mr. Carsan, a surgeon of great experience, in the neighborhood, had, on the report of the murder, from mere curiosity examined the body, and being confident that there were no marks of violence thereon, he had not the least apprehension of the possibility of Stringer's being convicted; but hearing of the conviction, and confident of the innocence of the unhappy man, and actuated by the love of justice and humanity, he instantly, on the Sunday, waited on and represented the case to the Archbishop of Canterbury: his grace gave Mr. Carsan a letter to Baron Smythe; who, convinced by his statement of the matter, that himself and the jury had been too precipitate in forming an opinion

of the guilt of Stringer, granted an immediate respite ; which gave Mr. Carsan an opportunity of laying the whole case before his majesty, and he had the satisfaction of saving an innocent man from an undeserved and ignominious death.

A MISS OF SIXTEEN,

FOR

THE MURDER OF HER UNCLE.

In the year 1764, a citizen of Liege was found dead in his chamber. Close by him lay a pistol, with which he had apparently committed suicide, by discharging its contents into his head. So common is the use of fire-arms at Liege, the chief manufacture of that city, that every peasant, who brings his goods to the market there, is seen armed with a pistol : so that the circumstance of the pistol did not at first, meet with so much attention as it might have done in places where those weapons are not in such common use. But, upon the re-

searches of the proper officer of that city, whose duty, like that of our coroner, is to inquire into all the circumstances of accidental deaths, it appeared, that the ball, which was found lodged in the head of the deceased, could never, from its size, have been fired out of the pistol which lay by him ; thus it was clear that he had been murdered ; nor were they long in deciding who was the murderer ! A girl, of about sixteen, the niece of the deceased, had been brought up by him, and he had been always supposed to have intended to leave her his effects, which were something considerable ; but the girl had then lately listened to the addresses of a young man, whom the uncle did not approve of, and he had, upon that occasion, several times threatened to alter his will, and leave his fortune to some other of his relations. Upon these, and some other concurring circumstances, such as having been heard to wish her uncle's death, &c. the girl was committed to prison.

The torturing a supposed criminal, in order to force confession, is certainly the most cruel and absurd idea that ever entered into the head of a legislator ! This being observed by the writer of this narrative, who was then at Liege,

to a magistrate of that place, on this very occasion, his defence was—"We never condemn to the torture, but upon circumstances on which you in England would convict; so the innocent has really a better chance to escape here than with you." But, until it is proved that pain has a greater tendency to make a person speak truth than falsehood, this reasoning seems to have little weight.

This unhappy girl, was, therefore, horridly and repeatedly tortured; but still persevering in asserting her innocence, she at last escaped with life; if it could be called an escape, when it was supposed she would never again enjoy health or limbs, from the effects of the torture.

Some years afterward her innocence became manifest, by the confession of the real assassins, who, being sentenced to the wheel for other crimes, confessed themselves the authors of this, of which the unfortunate girl had been suspected; and that, several pistols having been discharged at the deceased, they had, intending that it should appear a suicide, laid a pistol near him, without considering whether it was the same by which he fell.

ONE OF THE JURORS,

BEFORE WHOM THE CASE WAS TRIED,

HIMSELF THE MURDERER.

IN a field were two men seen fighting : Soon after, one was found dead. Near him lay a pitchfork, which had been apparently the instrument of his death. This pitchfork was known to belong to the person who had been seen fighting with the deceased ; and he was known to have taken it out with him that morning. Being apprehended and brought to trial, and these circumstances appearing in evidence, and also that there had been, for some time, an enmity between the parties, there was little doubt of the prisoner being convicted, although he strongly persisted in his innocence ; but to the great surprise of the court, the jury, instead of bringing in an immediate verdict of guilty, withdrew ; and, after staying out a considerable time, returned and informed the court, that eleven out of the twelve, had been, from the

first, for finding the prisoner guilty ; but that one man would not agree in the verdict. Upon this, the judge observed to the dissenting one, the great strength of the circumstances, and asked him, “ how it was possible, all [the circumstances considered, for him to have any doubt of the guilt of the accused ?” But no argument that could be urged, either by the court or the rest of the jury, could persuade him to find the prisoner guilty ; so that the rest of the jury were at last obliged to agree to the verdict of acquittal.

This affair remained, for some time, mysterious ; but it at length came out, either by the private acknowledgment of the obstinate jurymen to the judge who tried the cause, (who is said to have had the curiosity to inquire into the motives of his extraordinary pertinacity,) or by his confession at the point of death, (for the case is related both ways) that he himself had been the murderer. The accused had, indeed, had a scuffle with the deceased, as sworn on the trial, in which he had dropped his pitchfork, which had been, soon after, found by the jurymen, between whom and the deceased an acci-

dental quarrel had arisen in the same field ; the deceased having continued there at work, after the person with whom he had been seen to have the affray ; in the heat of which quarrel, the juryman had unfortunately stabbed with that very pitchfork, and had then got a totally unsuspected : but finding, soon after, that the other person had been apprehended, on suspicion of being the murderer, and fearing, as the circumstances appeared so strong against him, that he should be convicted, although not guilty, he had contrived to get upon the jury, as the only way of saving the innocent without endangering himself.

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In the prison-scene there is sufficient to fill the mind with gloom, where justice only is administering the punishment due to crime ; but humanity cannot fail to sympathise with the innocent, confined within the prison ; and especially when consigned to the gallows. And there is one consideration, in contemplating the innocent convict, that comes home to our feeling with peculiar force. All are interested in this matter : if not by circumstances made subject to the test of a trial, and to pass a short time in this dreary abode, we may, any of us be called upon to decide a case, in which he who is put upon trial, must be judged by circumstantial evidence, and by us, to be guilty or otherwise. It is important—that we may ourselves escape unmerited punishment—that we may not allow the guilty to escape—but above all, as jurors, that by us the innocent be neither required to forfeit life or liberty—to know the nature of circumstantial evidence.







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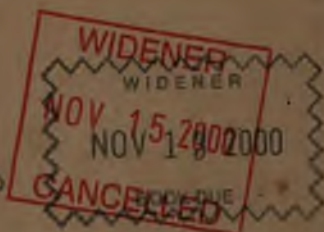
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The 'information science' field is defined as:

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